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of 35 U.S.C. §120.

Applicant maintains that the amendment to the specification presents no issue of new matter and is fully supported by the specification. Applicant has amended the specification to incorporate a reference to the parent application, U.S. Serial No. 09/469,817, filed December 22, 1999, in accordance with 35 U.S.C. §120, and to provide an updated status of the prior related applications.

By this Preliminary Amendment, claims 1-42 have been canceled without prejudice to Applicant's right to pursue the subject matter of these claims in a subsequent application and new claims 43-58 have been added. Accordingly, upon entry of this Amendment, claims 43-58 will be pending and under examination.

Support for new claim 43 may be found throughout the specification and inter alia, on page 4, lines 25-28, and in claim 15 as originally filed. Support for new claim 44 may be found inter alia, on page 5, lines 20-22, and in claim 15 as originally filed.

Support for new claims 45, 46, 47, 48, 49 and 50 may be found inter alia on page 6, lines 29-31, and in claims 20 through 25 as originally filed. Support for the new claim 51 may be found inter alia on page 6, lines 8-9, and in claim 27 as originally filed.

Support for new claim 52 may be found inter alia on page 5, lines

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27-32, and claim 16 as originally filed. Support for new claim 53 may be found inter alia on page 6, lines 32 - 34, and claim 17 as originally filed. Support for new claim 54 may be found inter alia on page 5, lines 30-31, and in claim 18 as originally filed.

Support for new claim 55 may be found inter alia on page 7, lines 6 - 8, and in claim 19 as originally filed. Support for new claim 56 may be found inter alia on page 6, lines 7 - 14, and in claim 28 as originally filed. Support for new claim 57 may be found inter alia on page 7, lines 9-14, and in claim 26 as originally filed. Support for new claim 58 may be found inter alia on page 3, lines 6-10.

Accordingly, applicant respectfully requests that the amendments be entered.

#### Information Disclosure Statement

Applicant would like to direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit 1**) and which were previously cited in connection with the prosecution of U.S. Serial Number 09/469,817 from which the subject application claims benefit under 35 U.S.C. §120. According to 37 C.F.R. §1.98(d), copies of patents or publications that were previously cited by, or submitted to, the Office in connection with such prior applications need not accompany the Information Disclosure Statement. Accordingly, copies of the following references are not attached to this

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Information Disclosure Statement:

1. European Patent Specification, Publication No. 0 222 385 B1, published February 3, 1993;
2. Endo, Chemical Abstracts, Vol. 73: 95098g, 1970;
3. O'Shea, et al., Chemical Abstracts, Vol. 74: 75106a, 1971;
4. Physicians' Desk Reference (1988), 42<sup>nd</sup> Edition, cover page and pages 1975-1976;
5. Aroonsakul, Chemical Abstracts, Vol. 115: 151902q, 1988;
6. Boris, et al., Chemical Abstracts, Vol. 74: 72305d, 1971;
7. Chicago Tribune, September 20, 1991, North Sports Final edition, Business Section, page 1;
8. Kopera, H. Acta Endocrinologica 1985, Supplementum 271, pp. 11-18;
9. Lone, et al., Chemical Abstracts, Vol. 107: 174950c, 1987;
10. Martindale, The Extra Pharmacopoeia, The Pharmaceutical Press, London, Reynolds, et al., Eds., p.1430 (1982); and
11. PR Newswire, 0828P8715, August 28, 1991 "Gynex obtains international rights to drug to treat for growth disorders,

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AIDS".

No fee, other than the enclosed fee of \$370.00 for filing the subject application, is deemed necessary in connection with the filing of this Preliminary Amendment and Information Disclosure Statement. However, if an additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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